

Jefferson County

VACATION OF ROADS AND STREETS

The steps involved in petitioning for a standard road vacation are:

1. The primary petitioner makes a formal request to the Jefferson County Department of Public Works, in the form of a letter, for a petition to vacate a road. A drawing and description of the road area to be vacated should be included. A current petition fee, based on the present fee ordinance, accompanies this request.
2. The Jefferson County Department of Public Works prepares a petition and sends it to the primary petitioner. This petitioner must obtain the signatures of the owners of the majority of the frontage on the road or portion thereof in the vacation request. Property ownership is verified for individuals signing the petition through the Jefferson County Assessor's Office. The petitioner must also obtain an appraisal for the area requested to be vacated from a Washington State licensed appraiser. The petition and appraisal is returned to the Department of Public Works along with a deposit as defined by the current fee ordinance. These monies are used to cover the costs of advertising the vacation request in the newspaper, postage, staff time, copy fees, and filing fees. If the petition is not returned to the Jefferson County Department of Public Works within one year of issuance, the procedure is terminated and the petition fee is forfeited.
3. The Jefferson County Department of Public Works notifies all property owners within 300 feet of the perimeter of the requested area, the utility companies, fire districts, county departments, and any other agencies that may be affected by or have comments on the proposed vacation. The petitioner may provide a list of property owners within 300 feet of the perimeter of the request area (available from a title company or through research at the Jefferson County Assessor's Office) or have the Jefferson County Department of Public Works compile that list at the petitioner's cost.
4. The applicant is contacted for a choice of dates for the petition to be placed on the agenda of the Jefferson County Hearing Examiner. The Hearing Examiner conducts a public hearing on the proposed vacation and makes a recommendation to the Board of County Commissioners.
5. The Board of County Commissioners will review the Hearing Examiner's report and recommendation for either approval or denial of the request. If approved, the principal petitioner is charged for any outstanding costs involved in the vacation plus one-half the appraised value of the property. When this compensation is received, the Commissioners will pass a resolution vacating the road and the process is complete. All fees must be paid within one year of approval of the request. If the request is denied, the petitioner is charged for outstanding costs only (i.e., postage, staff time, copy fees, filing fees and unpaid publication fees, if any).

A note should be made that, under most circumstances, should the vacation be approved by the Board of County Commissioners, any property owner abutting the vacated area will receive one-half the vacated area where it adjoins his or her property.

Please take special note of Section 5 of the Road Vacation Ordinance (attached), which states the criteria, which are considered in the review of a road vacation petition.

There is also an appeal process, which may take place between steps 4 and 5. Since the ordinance governing such appeals is quite strict in defining what information may be presented for an appeal, this information is provided after the Hearing Examiner review.

## SECTION 5: REVIEW CRITERIA

Road vacation petitions shall be reviewed according to the following criteria:

1. The proposed road vacation complies with the Jefferson County Comprehensive Plan and any other applicable plans, policies, or ordinances.
2. Roads should not be closed, vacated, or abandoned when land uses or development plans, or occurring patterns, indicate their usefulness for area circulation. Prior to a vacation decision, an examination should be made of its probable effect on overall area circulation in the neighborhood. Single or multiple vacations should be considered a positive tool toward improving neighborhood circulation and accesses.
3. The effectiveness of fire, medical, law enforcement, or other emergency services should not be impaired by the closure, vacation, or abandonment of county roads. Appropriate authorities should be consulted with respect to this policy.
4. Roads should not be closed, vacated, or abandoned when such routes can effectively be used for utility corridors. Suitable utility easements could be retained as a means of satisfying this policy. Public and private utility companies and their plans should be consulted with respect to this policy. (In accordance with R.C.W. 36.87.140, the Board of County Commissioners may retain an easement within the subject vacated area for the construction, repair, and maintenance of public utilities and services).
5. Roads should not be closed, vacated, or abandoned when such routes can effectively be used for trails or pathways. Suitable trail easements could be retained as a means of satisfying this policy. The Jefferson County Parks, Recreation, and Open Space Plan should be used as a guide to determine trail needs.
6. In compliance with R.C.W. 36.87.130, no county road or part thereof should be vacated that abuts on a body of salt or fresh water, unless the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage, or launching sites or for park, viewpoint, recreational, education, or other public purposes, or unless the property is zoned for industrial purposes.
7. The proposed vacation will not land lock any parcel of property.